IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 347 OF 2006

SHRI BALAJI SHRIDHAR PAI, MARGAO GOA. ....Petitioner

Versus

STATE OF GOA THROUGH THE CHIEF SECRETARY AND 2 ORS., ...Respondents

Mr. Nigel Costa Frias, U/LAS for the Petitioner.
AG With Ms. K. Chodankar, AGA for the State.

Coram:- J. N. PATEL &
N. A. BRITTO, JJ.

Date:- 13th November, 2006

P.C.

Heard.

2. The learned Counsel for the petitioner joined service on 26.10.1955 as "Guarda da Guarda Rural das Matas" in the then Department of Matas under the Portuguese Regime. In the year 1962, he became a Round Forester w.e.f. 12.10.1962. On 08.08.1979, he was promoted as Range Forest Officer in the Department of Forests. On the day of liberation of Goa, the petitioner was absorbed in Government service and services were governed by Goa Government Department of Forest (Non-Gazetted Non Ministerial Posts) Recruitment Rules 1966. The petitioner retired from service on 30.11.1991 on superannuation.

3. By this petition, the petitioner challenges the fixation of his seniority in the grade of RFO, which was published on 14.04.1980. It is the case of the petitioner that the petitioner was shown at serial no.26 whereas he was entitled to be placed at serial no.10 and for that, the petitioner has placed reliance on various provisions of the Recruitment

Rules.

4. It is the contention of the petitioner that his representation was not considered on the ground that a criminal case was pending against him since then the petitioner has been agitating the issue but inspite of all efforts, he could not get the relief sought for and ultimately on 02.09.2004, the petitioner has been informed by the Deputy Director (Admn.), Panaji, Goa, that his request to revise his seniority as Range Forest Officer, is turned down.

5. Apart from merits, we find that the petitioner has approached this Court after more than 15 years from the date of his retirement on superannuation. Therefore, we are not inclined to entertain the petition on the ground of delay and laches and this would result in unsettling of seniority of persons who must have retired from service, which will have wide financial implications.

6. Petition is therefore dismissed.

J. N. PATEL, J.

N. A. BRITTO, J.

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